IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3545 OF 2004

in

CRIMINAL WRIT PETITION NO. 830 OF 2003

The State of Maharashtra.. .. Applicant.

Versus

Dattatraya Raghunath Waghmare.. .. Respondents.

Mr. D.S.Mhaisapurkar, APP for the State-Applicant.

Mr. A.P.Mundargi for the Respondents.

**CORAM : A. M. KHANWILKAR, J.**

**DATED : 10TH SEPTEMBER, 2004.**

**P.C.:**

Heard learned Counsel for the parties. Perused application as well as affidavit in reply.

2. The application is resisted on the assertion that the allegations made therein are false and politically motivated. No rejoinder affidavit has been filed. Instead of going into the merits of the said contentions, the appropriate course is to list the

main Writ Petition No. 830 of 2003 for final disposal in the week commencing from 4th October, 2004.

3. It is made clear that disposal of this application is not an expression of opinion either with regard to the correctness of the averments made in the application or the reply affidavit filed by the writ Petitioner.

4. Criminal Application stands disposed of on the above terms.

5. All Authorities concerned to act on an ordinary copy of this order duly authenticated as true copy by the Office.

Sd/-

**(A. M. KHANWILKAR, J.)**